

ATTORNEY DOCKET NO.: 06027.0002U2

APPLICATION NO.: 09/884,260

**REMARKS**

Claims 1-19, 24, 29, 36, and 41 have been canceled. Claims 20-21, 25, 30, 32-33, 37, and 42 have been amended. Claims 20-23, 25-28, 30-35, and 37-43 are currently pending.

The undersigned would like to thank the Examiner for the courtesies shown during the telephone discussions of December 13 and 27, 2004, and January 4, 2005. During the discussions, the claims and various proposed amendments were discussed.

As suggested by the Examiner, claims 20, 21, 32, and 33 have been amended to recite the subject matter of claims 24, 29, 36, and 41, respectively. Specifically, claims 20, 21, 32, and 33 have been amended to recite that "the lyase has an amino acid sequence present in a protein isolated from *Cucumis melo*." Support for these amendments can be found in the specification at, *inter alia*, page 6, line 29 to page 7, line 1, and in claims 24, 29, 36, and 41.

Claims 25, 30, 37, and 42 have been amended to delete the term "SEQ ID NO:15."

No new matter has been added by these amendments; therefore, Applicants respectfully request that the amendments be entered.

**Response to Rejections**

In the Office Action, the Examiner asserted that claims 24, 29, 36, and 41 are allowable if re-written in independent form. By the amendments herein, the subject matter of these claims has been imported into independent claims 20, 21, 32, and 33.

The Examiner also asserted that SEQ ID NO:15 would require a separate search and thus would not be examined. The claims have been amended to delete the recitation of SEQ ID NO:15.

**CONCLUSION**

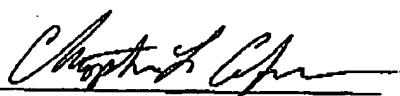
In light of these amendments, Applicants respectfully submit that the claims are in condition for allowance and, accordingly, request notification of same.

No fees are believed to be due; however, the Commissioner is hereby authorized to

ATTORNEY DOCKET NO.: 06027.0002U2  
APPLICATION NO.: 09/884,260

charge any fees which may be required or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,  
NEEDLE & ROSENBERG, P.C.

  
Christopher L. Curfman, J.D., Ph.D.  
Registration No. 52,787

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859  
(678) 420-9300  
(678) 420-9301 (fax)

**CERTIFICATE OF FAX TRANSMISSION UNDER 37 C.F.R. § 1.8**

I hereby certify that this RESPONSE TO FINAL OFFICE ACTION, including any items indicated as attached or included, is being transmitted via facsimile transmission to: Examiner Nishaat T. Nashed, Art Unit 1652, (703) 872-9306, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

  
Christopher L. Curfman, J.D., Ph.D.

MARCH 28, 2005  
Date